



Matt Blunt, Governor • Doyle Childers, Director

## DEPARTMENT OF NATURAL RESOURCES

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October 27, 2006

B.G. Gregg F. Martin, Commander  
Northwestern Division  
U.S. Army Corps of Engineers  
PO Box 2870  
Portland, OR 97208-2870

Dear General Martin:

Thank you for providing an opportunity to comment on the proposed framework for the Missouri River Recovery Implementation Committee (MRRIC) Planning Committee. The following comments are provided for your consideration.

Since the National Academy of Sciences (NAS) published their "Missouri River Ecosystem: Exploring the Prospects for Recovery" report in 2002, attitudes and perceptions in the basin have not significantly changed. Therefore, we strongly urge the Federal Working Group (FWG) to enact two key recommendations offered by the NAS. First, the formation of an "independent, interdisciplinary scientific panel." Secondly, conduct business in a completely open and transparent manner. This must include stakeholder involvement in the scientific review process. Also, any future meetings of the FWG should be open to all interested parties.

For MRRIC to have any hope of being successful, unbiased and accurate science must be used to guide ecological decisions within the basin. Since many of the stakeholders already are very skeptical of the process, the creation of an independent science panel would be the first step in establishing scientific credibility with the stakeholders. As an example, members of the North American Sturgeon Specialists Group, which have few apparent ties to the Missouri River Basin, would bring some much needed and immediate credibility to the process. Again, the stakeholders must be comfortable with whoever is selected.

In order to have meaningful participation, stakeholders must be convinced that their participation is valued and their input into the process is fully considered. Too often, it appears that the agencies are merely going through the motions of involving the stakeholders. Historically, many of the federal agency meetings have appeared to be driven solely by the agendas of the federal agencies. Many stakeholders will be investing personal time and resources in the process and

will only participate as long as they see merit. Federal agencies must ensure that stakeholder participation in MRRIC results in tangible benefits.

The perception also exists that the federal agencies are not open to stakeholder perspectives and not willing to work towards alternative approaches that stakeholders believe would be less harmful to their interests. The federal agencies must take steps to counter these impressions. For one, an earnest attempt at developing an alternative to the Gavins Point spring rise that would still allow scientists to learn more about the pallid sturgeon should be undertaken.

By limiting the scope of MRRIC as outlined in the framework, opportunities to make meaningful change in the basin will be limited. If the science shows that the goals of the Biological Opinion are not consistent with ecosystem recovery or the Reasonable and Prudent Alternatives are not supported by sound science, then where better than MRRIC to recommend the reopening of the Biological Opinion and the Master Manual? In defining MRRIC, the scope should not be limited to a point where opportunities for recovery will be severely hampered.

The framework sets the focus of MRRIC as recovering endangered species and the ecosystem on which they depend. The ecosystem on which the pallid sturgeon, interior least tern, and piping plover depend, extend well beyond the borders of the Missouri River basin. Recovery of these species will also extend beyond the basin. For example, the wintering habitat may be a key aspect to recovering terns and plovers. If the focus of MRRIC is unchanged, participation should not be limited to the Missouri River basin.

Mississippi River interests should be included in this process considering the interrelation between the two rivers is so critical to the recovery of the species. Changes in management of the Missouri River can and will have a direct impact on Mississippi interests. Even as the federal agencies are promoting a watershed/ecosystem approach, to exclude Mississippi River interests, sends a mixed signal regarding the sincerity of the process.

Anyone with a vested interest in the Missouri River should have an opportunity to participate if they are willing to commit time and effort. We understand that it is difficult for a committee to operate efficiently when a group becomes too large. However, in developing a Charter, the use of sub-committees or working groups could help facilitate work products. This would make a large committee more tenable.

If the FWG stays with the approach that allocates slots to various interests, a category for water supply should be added since utilities that supply water to millions of people do not have direct representation in any of the proposed groups.

The sole charge of the Planning Committee is to develop a Charter for MRRIC. The framework indicates that monthly, three-day Planning Committee meetings will be held over a nine-month

B.G. Gregg F. Martin  
Page 3  
October 27, 2006

period. With limited charge of the Planning Committee to develop a Charter, three days a month for nine months seems excessive. A couple of meetings should be adequate to develop a Charter. The use of subcommittees or workgroups as suggested above would make meeting time more efficient.

Thank you again for the opportunity to provide comments on the proposed framework for MRRIC and for hosting meetings in Missouri.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES

A handwritten signature in cursive script, reading "Michael D. Wells".

Michael D. Wells  
Chief of Water Resources

MDW:jdm

c: Denise Garnier, MO Department of Conservation  
Sherrie Martin, MO Department of Transportation  
Dan Engemann, MO Department of Agriculture  
Bill Bryan, Office of the MO Attorney General